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Act of 1974 - effective 8/3/74

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Four.

AN ACT CHANGING THE NAME OF THE BACK BAY RESIDENTIAL DISTRICT IN THE CITY OF BOSTON TO THE BACK BAY ARCHITECTURAL DISTRICT, EXTENDING THE BOUNDARIES OF SAID DISTRICT, ENLARGING THE BACK BAY ARCHITECTURAL COMMISSION AND FURTHER DEFINING THE POWERS AND DUTIES THEREOF.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The title of chapter 625 of the Acts of 1966 is
2 hereby amended by striking in line 1 the word "residential"
3 and inserting in place thereof the word: — architectural.

1 SECTION 2. Section 1 of said chapter 625 is hereby amended
2 by striking in line 4 the words "the residential portion of the
3 Back Bay area in the City of Boston" and inserting in place
4 thereof the words: — that portion of the Back Bay area in
5 the city of Boston described in section two hereof.

1 SECTION 3. Said chapter 625 is hereby amended by striking
2 section 2 and inserting in place thereof the following section:
3 —

4 Section 2. *Establishment of the District* — There is hereby
5 created in the city of Boston a district to be known as the
6 Back Bay Architectural District, bounded and described as
7 follows:

8 starting at the intersection of the center line of Newbury
9 Street and the center line of Charlesgate East; hence running
10 northerly by the center line of Charlesgate East to the center
11 line of Back street; thence running easterly by the center
12 line of Back street to the center line of Embankment road;
13 thence running southerly by the center line of Embankment
14 road to the center line of Beacon street; thence running
15 easterly along the center line of Beacon street to the center
16 line of Arlington street; thence running southerly along the

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17 center line of Arlington street to the center line of the public
18 alley between Newbury street and Commonwealth avenue;
19 thence running westerly along the center line of the public
20 alley between Newbury street and Commonwealth avenue to
21 the center line of Dartmouth street; thence running southerly
22 along the center line of Dartmouth street to the center line
23 of Boylston street; thence running westerly along the center
24 line of Boylston street to the center line of Massachusetts
25 avenue; thence running northerly along the center line of
26 Massachusetts avenue to the center line of Newbury street;
27 thence running westerly along the center line of Newbury
28 street to the point of beginning.

1 SECTION 4. Section 4 of said chapter 625 is hereby amended
2 by striking out the first sentence thereof and inserting in place
3 thereof the following: —

4 There shall be in the Boston Redevelopment Authority a
5 commission known as the Back Bay Architectural Commission,
6 consisting of nine commissioners and five alternates,
7 appointed by the Mayor as follows: two commissioners and
8 one alternate from five candidates nominated by the Neighborhood
9 Association of the Back Bay, two commissioners and one
10 alternate from five candidates nominated by the Back Bay
11 Association, two commissioners and one alternate from five
12 candidates nominated by the Boston Society of Architects,
13 one commissioner and one alternate from three candidates
14 nominated by the Greater Boston Real Estate Board, and two
15 commissioners, at least one of whom shall have an interest
16 in a retail business in the Back Bay Architectural District,
17 and one alternate selected at large by the Mayor. The terms
18 of office of the commissioners and alternates in office as of
19 the effective date of this act shall remain as under prior law,
20 and the commissioners required by the foregoing sentence to
21 be appointed in addition to those incumbent under prior law
22 shall be appointed by the Mayor from two candidates nominated
23 by the named nominating organizations, and the terms
24 of such original appointments shall for each such commissioner
25 be co-terminous with the term of the incumbent
26 who was nominated by the same organization. Until the addi-

27 tional commissioners are appointed, the quorum requirement
 28 for action by the commission shall be three, and thereafter
 29 it shall be a majority of the commissioners.

1 SECTION 5. Section 4 of said chapter 625 is hereby further
 2 amended by striking out the last sentence of the first para-
 3 graph and inserting in place thereof the following sentence: —
 4 Whenever a commissioner is absent or unable for any cause
 5 to perform his duties, the alternate appointed in the same
 6 manner as such commissioner shall exercise the powers and
 7 perform the duties of such commissioner; whenever both a
 8 commissioner and the alternate appointed in the same manner
 9 of such commissioner are absent or unable for any cause to
 10 perform their duties, the chairman of the commission shall
 11 designate another alternate to exercise the powers and per-
 12 form the duties of such commissioner; but an alternate shall
 13 not otherwise be deemed to be, or act as, a member of the
 14 commission.

1 SECTION 6. Section 5 of said chapter 625 is hereby amended
 2 by striking out in line 3 the word "residential" and inserting
 3 in place thereof the word: — architectural.

1 SECTION 7. Section 6 of said chapter 625 is hereby amended
 2 by striking out in line 3 the word "residential" and inserting
 3 in place thereof the word: — architectural.

1 SECTION 8. Section 7 of said chapter 625 is hereby amended
 2 by striking out in line 4 the word "residential" and inserting
 3 in place thereof the word: — architectural.

1 SECTION 9. Section 8 of said chapter 625 is hereby amended
 2 by striking out in line 2 the word "residential" and inserting
 3 in place thereof the word: — architectural.

1 SECTION 10. Section 8 of said chapter 625 is hereby amended
 2 by striking out in the tenth line of the third paragraph the
 3 word "residential" and inserting in place thereof the word: —
 4 architectural.

1 SECTION 11. Section 8 of said chapter 625 is further amended

2 by adding at the end of the fourth paragraph the following
 3 sentence: —

4 It is also the intent of this act that the commission deal
 5 more leniently with proposals respecting structures within
 6 those sections of the Back Bay Architectural District which
 7 may be zoned for local or general business uses than with
 8 those proposals within those sections of the district which
 9 may be zoned for residential uses, to the end that conversions
 10 of structures to business uses will not be prevented.

1 SECTION 12. Section 8 of said chapter 625 is further amended
 2 by striking out in the second line of the sixth paragraph the
 3 word "residential" and inserting in place thereof the word: —
 4 architectural.

1 SECTION 13. Section 9 of said chapter 625 is hereby amended
 2 by striking out in line 3 the word "residential" and inserting
 3 in place thereof the word: — architectural.

1 SECTION 14. Section 11 of said chapter 625 is hereby amended
 2 by striking out in lines 3 and 7 of the first paragraph and line
 3 4 of the second paragraph the word "residential" and inserting
 4 in place thereof the word: — architectural.